

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

SARAH WATKINS,

§

Plaintiff,

§

v.

1:24-CV-1041-DII

HUNTER WARFIELD, INC., et al.,

§

Defendants.

§

ORDER

On September 5, 2024, Plaintiff filed her complaint in this action with this Court. (Compl., Dkt. 1). To date, however, there is no indication that Plaintiff has served Defendants Vidya Byaha LP and Trails Rock Creek Holdings LP with the complaint and summons. “If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m). More than 90 days have passed since Plaintiff filed her complaint.

IT IS ORDERED that Plaintiff shall show cause in writing on or before **January 21, 2025**, as to why the claims against Defendants Vidya Byaha LP and Trails Rock Creek Holdings LP should not be dismissed for failure to timely effectuate service. Failure to do so may result in the dismissal of this action. *See* Fed. R. Civ. P. 41(b) (action may be dismissed for want of prosecution or failure to comply with court order); *Larson v. Scott*, 157 F.3d 1030, 1031 (5th Cir. 1998) (district court has authority to dismiss case for want of prosecution or failure to comply with court order).

SIGNED on January 14, 2025.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE